

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE: WILLIAM M. WINDSOR,
Movant.

§ No. 3:15-MC-61-D
§

**FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is William M. Windsor's ("Movant") request for leave to file state court appeals, filed on June 8, 2015. *See* Request [D.E. 1]. On June 25, 2015, the District Court referred Movant's request [D.E. 1] to the United States Magistrate Judge for hearing, if necessary, and recommendation. *See* Order of Reference [D.E. 3]. The undersigned held a hearing on this matter on August 26, 2015. *See* Electronic Minute Entry [D.E. 19]. On September 11, 2015, Movant filed his withdrawal of his request for leave explaining that he submitted his request for leave to file state court appeals (dated June 1, 2015 and filed on June 8, 2015) asking that leave be granted by June 21, 2015, but that the appellate briefs he sought leave to file have already been filed in the Tenth Court of Appeals in Waco, Texas. *See* Withdrawal [D.E. 22 at 1]. Therefore, Movant now asks the Court to designate his request for leave as having been withdrawn and to terminate this case. *See id.* [D.E. 22 at 1]. Upon consideration of the foregoing, the undersigned respectfully recommends that the District Court deny as moot Movant's request for leave to file state court appeals [D.E. 1] and terminate this case as requested by Movant.

SO RECOMMENDED, this 30th day of November, 2015.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND
NOTICE OF RIGHT TO APPEAL/OBJECT**

The United States District Clerk shall serve a true copy of these findings, conclusions and recommendation on the parties. Pursuant to Title 28, United States Code, Section 636(b)(1), any party who desires to object to these findings, conclusions and recommendation must serve and file written objections within fourteen days after service of the findings, conclusions and recommendation. A party filing objections must specifically identify those findings, conclusions or recommendation to which objections are being made. The District Court need not consider frivolous, conclusory or general objections. A party's failure to file such written objections to these proposed findings, conclusions and recommendation shall bar that party from a *de novo* determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). Additionally, any failure to file written objections to the proposed findings, conclusions and recommendation within fourteen days after service shall bar the aggrieved party from appealing the factual findings and legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).